

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

WENDY WATKINS)	
)	
A.K.A. WINDY WATKINS)	
v.)	No. 1:03-cr-230/1:14-cv-195
)	<i>Judge Curtis L. Collier</i>
UNITED STATES OF AMERICA)	
)	

MEMORANDUM

Federal prisoner Wendy Watkins, A.K.A. Windy Watkins¹ (“Watkins”) filed for post-conviction relief pursuant to 28 U.S.C. § 2255 on April 25, 2011 (Criminal Court File No. 84).² The Court denied relief on July 15, 2011, finding Watkins’ § 2255 motion was time-barred by the statute of limitations (Criminal Court File Nos. 85 & 86). Watkins subsequently filed a second § 2255 motion, by and through Attorney Anthony Martinez, on June 20, 2014, attacking the same conviction (Criminal Court File No. 99).

In accordance with the “Antiterrorism and Effective Death Penalty Act of 1996,” effective April 24, 1996, Watkins cannot file a second or successive § 2255 motion in the District Court until she has moved in the United States Court of Appeals for the Sixth Circuit for an order authorizing the District Court to consider the motion. This Court has not received an order from the Sixth Circuit authorizing it to consider the pending motion.

¹ Although movant’s name is spelled “Wendy Watkins” in the majority of documents in the underlying criminal case, movant has signed her name as “Windy Watkins” on most, if not all of the documents she has signed in this case (Criminal Court File Nos. 31, 50, 55, 80, 82, & 84)

² Each document will be identified by the Court File Number assigned to it in the underlying criminal case.

Accordingly, the Clerk will be **DIRECTED** to **TRANSFER** this action to the United States Court of Appeals for the Sixth Circuit, pursuant to 28 U.S.C. § 1631 and **CLOSE** the case (Criminal Court File No. 99). *See Sims v. Terbush*, 111 F.3d 45, 47 (6th Cir. 1997).

In addition, counsel is **ORDERED** to notify the Court of the correct legal spelling of his client's full name within **twenty (20) days** from the date of this order.

An appropriate order will enter.

/s/
CURTIS L. COLLIER
UNITED STATES DISTRICT JUDGE